



04-03-06

TFW 3727

Practitioner's Docket No. U 015593-6

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application
of

Inventor(s)

for

Title of invention

OR

In re application of: MICHELE CASSOL, et al

Application No.: 10/523,954

Group No.: 3727

Filed: August 18, 2005

Examiner: N/A

For: FUEL TIN

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. 1.97(b))

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*

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Date: March 30, 2006

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JULIAN H. COHEN

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- * Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

NOTE: 37 C.F.R. 1.98(b):

- (1) *Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.*
- (2) *Each U.S. patent application published listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.*
- (3) *Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.*
- (4) *Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.*
- (5) *Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.*

WARNING: *No extension of time can be had under 37 C.F.R. § 1.36 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).*

NOTE: *The “filing date of a national application” under 37 C.F.R. 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark office, the filing is defined in 37 C.F.R. 1.53(b) as “the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41.” 37 C.F.R. 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. 37 C.F.R. 1.97(b)(2).*

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. 1.97(b).

NOTE: *“No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing.”*

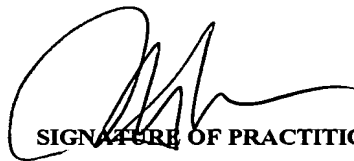
NOTE: *“An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An office action is mailed on the date indicated in the Office action.” Notice of April 20, 1992 (1138 O.G. 37-41, 39).*

NOTE: *“The term ‘national application’ includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application.” Notice of April 20, 1992 (1138 O.G. 37-41, 39).*

NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).

If a fee is required, please charge deposit account 12-0425.



SIGNATURE OF PRACTITIONER

Reg. No. 20,302

JULIAN H. COHEN

(type or print name of practitioner)

Tel. No.: (212)708-1887

LADAS & PARRY

P.O. Address

Customer No.: 00140

26 WEST 61ST STREET

NEW YORK, NEW YORK 10023



Practitioner's Docket No. U 015593-6

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **MICHELE CASSOL, et al**

Application No.: 10/523,954

Group No.: 3727

Filed: August 18, 2005

Examiner: N/A

For: **FUEL TIN**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

We draw the attention of the Examiner to the attached English-language version of a Search Report from a foreign office in respect of counterpart Georgian Patent application No. AP 2003 008631 that indicates the degree of relevance found by the foreign office. The Search Report makes consideration of any non-English art required. MPEP 609.

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*

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Date: March 30, 2006

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JULIAN H COHEN

(type or print name of person certifying)

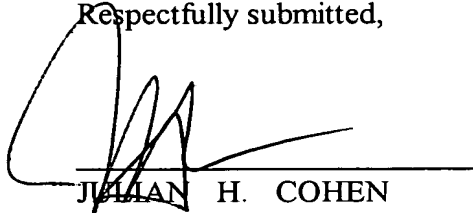
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"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

U. S. Patents 4,593,834; 4,690,297 and 6,302,290 are the English language parallel documents for cited references SU 1389674, SU 1431672 and RU 2173292.

Form PTO-1449 is also attached with reference copies (first page only for U.S. patent publications).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Julian H. Cohen', is written over a horizontal line.

JULIAN H. COHEN
LADAS & PARRY LLP
26 WEST 61ST STREET
NEW YORK, NEW YORK 10023
REG.NO.20,302(212)708-1887

DOCKET NO: U 015593-6
SERIAL NO.: 10/523,954
FILED AUGUST 18, 2005
GROUP NO.: 3727

National Centre of the Intellectual Property "Sakpatenti" of Georgia

I. Chavchavadze Ave. # 6, I chikhi, Tbilisi 0179
Tel.: (995 32) 25-27-90; Fax: (995 32) 98-84-26, 98-84-19

No 14653
Date 01.12.2005

Correspondence address: Shalva Gvaramadze

Applicant: Firestar AG

Hornlistrasse 14, CH-8360 Eschlikon, Switzerland

Offic. Ref. # 8631/01

/21/ Patent Application # AP 2003 008631

/54/ Title of Invention: FUEL TIN

Search Report

Date of the beginning of the search 02.11.2005

Date of the actual completion of the search 01.12.2005

The search was carried out in relation to the object(s) established (please see the Message-Request #13251 of date 02.11.2005) in the Patent Application on the basis of which the Search Report including the data for defining the State of Art has been drawn up.

I Classification of the subject matter		
Classification System		Classification Index
ICI (7)		B65D 17/00
II. Fields Searched		
The Information Sources Discussed		
Classification System		Classification Index
ICI (7)		B65D 17/00
III. Documents considered to be relevant		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim #
Y	Inventors' certificate SU 1389674 A3 Шмальбах-Лубека АГ Cl. B65D 17/00 15.04.88	1, 2, 4, 6 and 11
Y	Inventors' certificate SU 1431672 A3 Шмальбах-Лубека АГ Cl. B65D 17/00 15.10.88	1, 2, 4, 6 and 11
Y	Russian Patent RU2186012 C2, Мороз Ю.А., Смеловский В.Л. Cl. B65D 17/00 27.07.2002	1, 2, 4, 11 and 12
Y	Russian Patent RU2173292 C2, Соплариль С.А. Cl. B65D 17/00 10.09.2001	8

* Special Categories of Cited Documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the International filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, exhibition or other means.

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"T" later document published after the filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"P" document published prior to the international filing date but later than the priority date claimed

"X" document of particular relevance: the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"&" document member of the same patent family

The documentary conclusion will be drawn up on the basis of the claims of invention for which the Search was conducted for establishing the State of Art.
You are allowed to present the corrected claims of invention within 2 months together with the fees prescribed for making amendments and corrections.

Head of the Section

/ /

Examiner

/ /

FORM PTO-1449

U. S DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

SERIAL NO.

U 015593-6

10/523,954

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

APPLICANT

Michele CASSOL, et al.

FILING DATE

GROUP

August 18, 2005

3727

U.S. PATENT DOCUMENTS

EXAMINER INITIALS	REFERENCE DESIGNATION	DOCUMENT NUMBER	DATE	NAME	FILING DATE IF APPROPRIATE
	AA	4,593,834	06/1986	Hoft, et al.	
	AB	4,690,297	09/1987	Hoft, et al.	
	AC	6,302,290	10/2001	Engelaere	
	AD				
	AE				
	AF				
	AG				
	AH				
	AI				
	AJ				
	AK				

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AL	1389674	04/1988	SU		X
	AM	1431672	10/1988	SU		X
	AN	2 173 292	09/2001	RU		X
	AO	2 186 012	07/2002	RU		X
	AP					

OTHER ART (Including Author, Title, Date, Pertinent Dates, Etc.)

	AR	English Abstract of RU 2 186 012 dated July 27, 2002
	AS	
	AT	

EXAMINER

DATE CONSIDERED

EXAMINER:

Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

